

# EXHIBIT A

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

X

ROBERT DINGLE, JR.

Plaintiff,

-against-

BIMBO BAKERIES USA

1:11-cv-02879-CBA-VVP

Defendant.

X

AFFIDAVIT OF KRISTIN L. PLUDE, ESQ.  
IN SUPPORT OF DEFENDANT'S MOTION TO DISMISS

STATE OF NEW YORK )  
                      ) ss:  
COUNTY OF NEW YORK )

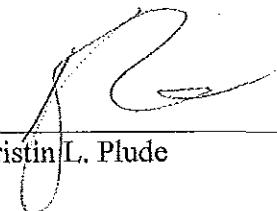
Kristin L. Plude, an attorney duly admitted to practice law before this Court, states under penalty of perjury as follows:

1. I am an attorney with Jackson Lewis LLP, the attorneys of record for Defendant.
2. I am fully familiar with the facts and procedural history of the instant matter and make this Affidavit based upon a review of the files in my office.
3. I make this Affidavit in support of Defendant's Motion to Dismiss.

4. Attached hereto as Exhibit 1 are copies of unreported cases cited in Defendant's Memorandum of Law in Support of its Motion to Dismiss which are being provided to Plaintiff; per the Court's direction, copies are not submitted with the Court filing.

5. Attached hereto as Exhibit 2 is a copy of the Notice to Pro Se Litigant Who Opposes a Rule 12 Motion Supported by Matters Outside the Pleadings.

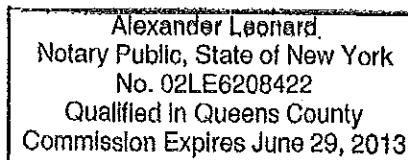
WHEREFORE, it is respectfully requested that the Court grant Defendant's Motion to Dismiss the Complaint, with prejudice; and for such other relief as the Court may deem just and proper.



Kristin L. Plude

Sworn to before me this  
6<sup>th</sup> day of December 2012

Alexander Leonard  
Notary Public



4817-3594-9586, v. 1